ECFS - E-mail Filing
<PROCEEDING> WT 02-353; Service Rules for AWS
<DATE> 6 Feb. 2003
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The FCC has taken the first step in enabling advanced technologies to enter the U. S. market place. But it was only a first step. In order to reach the desired goal, then many more steps must be taken for this to be more than just a thrown bone.

To truly make this spectrum available to new, advanced technologies, operated by large and small companies alike, additional steps are mandatory, including:

1. Geographical licensing must be as needed/requested by the company applying for the license. For the FCC to dictate where and how large an area is to be served only denies access to small companies. Additionally, licensing a large geographic area only ties up spectrum in less populated areas, resulting in no service being offered at all.

A perfect example of this is that in some states, Montana for instance, AT&T and Sprint have not yet built one site to offer service, even after owning the licenses for over 5 years. The spectrum cannot be used, the marketplace is denied the service a small company might have been able to offer, and the carriers are granted the ability to monopolize the spectrum.

2. Flexibility of use is another way to grant access to this spectrum by companies that will pay big prices in an auction to tie up more spectrum, companies such as AT&T, Sprint, and DT (VoiceStream). Spectrum has always been specifically dedicated to allow licensees the ability to operate without being overrun by companies already operating in other spectrums.

An example here is 3G PCS. As in all other wireless technologies, advancements in the technology will occur, but operation within their spectrum has always been a must. If 3G PCS carriers need more spectrum to operate, then perhaps its time they do two things. First is to utilize a more spectrally efficient technology format, and consolidate the spectrum already set aside for PCS.

3. The FCC must become the manager of the spectrum, not a clearinghouse. Congress has mandated the FCC to manage the spectrum to the best interest of the U. S. public, not sell every sliver of spectrum to the highest bidder for them to re-sell. Management requires the FCC to ensure minorities, small companies, rural America, and large companies are all given the same treatment. Selling the spectrum relieves the FCC of that responsibility as it would not have control of who, how, when, or where the spectrum was used. An application

process, with yearly fees based on gross incomes, with strict time to market rules, and with FCC management is the only way everyone will win.

4. The FCC must realize, in an auction, bidding credits only add a few additional rounds to the auction, and ultimately, the bigger company that desires the spectrum will always win out. The auction process has only helped create spectrum monopolies, has only maintained the big companies hold on the markets and technologies, has only held back the small and minority held companies, and has only prevented new technologies from being deployed in rural areas of the country.